

Message Text

LIMITED OFFICIAL USE

PAGE 01 BONN 11984 01 OF 02 151710Z

45

ACTION L-03

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10 H-02

PA-01 PRS-01 OES-06 SEC-01 JUSE-00 SP-02 USIA-06

AID-05 EB-07 NSC-05 CIEP-01 TRSE-00 SS-15 STR-04

OMB-01 CEA-01 CIAE-00 COME-00 FRB-03 INR-07 NSAE-00

XMB-02 OPIC-03 LAB-04 SIL-01 /125 W
----- 024715

P R 151701Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0453

INFO USMISSION USUN NEW YORK PRIORITY

USMISSION GENEVA PRIORITY

USMISSION EC BRUSSELS

USMISSION OECD PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY PARIS

AMEMBASSY LONDON

AMEMBASSY TOKYO

AMEMBASSY OTTAWA

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 11984

E.O. 11652: N/A

TAGS: EINV, PFOR, PGOV, UN, ECOSOC

SUBJECT: ECOSOC: U.S. PROPOSAL FOR INTERNATIONAL
AGREEMENT ON ILLICIT PAYMENTS

REF: (A) STATE 158320; (B) STATE 151183; (C) BONN 8274

1. IN COURSE OF INTER-MINISTERIAL MEETING ON JULY 13,
FRG DECIDED TO EXPLORE DEGREE OF SUPPORT AT ECOSOC
FOR A WORK PROGRAM CONCENTRATING INITIALLY ON ANALYSIS
OF EXISTING NATIONAL LEGISLATION AND FEASIBILITY OF
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 11984 01 OF 02 151710Z

HARMONIZING NATIONAL LEGISLATION. THIS WORK PROGRAM

WOULD TREAT INTERNATIONAL CONVENTION PROPOSED BY U.S. AS ONLY ONE OF SEVERAL OPTIONS TO BE CONSIDERED, TOGETHER WITH BILATERAL OR MULTILATERAL TREATIES ON JUDICIAL ASSISTANCE. FRG MISSIONS IN NEW YORK AND GENEVA HAVE BEEN INSTRUCTED TO OBTAIN REACTIONS TO THIS NEW GERMAN PROPOSAL FROM U.S. AND OTHER WESTERN DELEGATIONS.

2. VON DEWITZ, DIRECTOR OF OFFICE FOR INTERNATIONAL INVESTMENT IN ECONMIN, EXPLAINED TO EMBOFF THAT FRG DOES NOT WISH TO HINDER U.S. INITIATIVE BUT RATHER TO CHANGE SOMEWHAT THE DIRECTION OF THE U.S. PROPOSAL. IF FRG DELS FIND THAT THERE IS SUFFICIENT SUPPORT FOR GERMAN APPROACH TO MAKE THIS POSSIBLE, THE FRG IS PREPARED TO TAKE A MUCH MORE ACTIVE ROLE IN SUPPORT OF A WORK PROGRAM ON ILLICIT PAYMENTS.

3. FRG PROPOSAL TAKES THE FORM OF AMENDMENTS TO DRAFT RESOLUTION PROPOSED BY U.S. (REF B). PARAGRAPH 1 OF U.S. PROPOSAL WOULD BE DELETED. PARAGRAPH 2 WOULD BE AMENDED TO READ AS FOLLOWS:

"2. DECIDES

A. TO ESTABIISH A SPECIAL PREPARATORY COMMITTEE OF HIGH LEVEL GOVERNMENTAL EXPERTS TO CARRY OUT AN IN-DEPTH STUDY ON THE FOLLOWING SUBJECTS:

I) DETAILED ANALYSIS OF EXISTING NATIONAL LEGISLATION AND REGULATIONS AIMED AT ELIMINATING ILLICIT PAYMENTS IN INTERNATIONAL TRADE AND INVESTMENT TRANS-ACTIONS WITH GOVERNMENTS AND THEIR ACTUAL APPLICATION, IN LINE WITH THE FINAL CONCLUSION OF THE REPORT OF THE SECRETARY-GENERAL ON MEASURES AGAINST CORRUPT PRACTICES OF TRANSNATIONAL AND OTHER CORPORATIONS, THEIR INTERMEDIARIES AND OTHERS INVOLVED (DOC. E/5838);

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BONN 11984 01 OF 02 151710Z

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 BONN 11984 02 OF 02 151713Z

45

ACTION L-03

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10 H-02

PA-01 PRS-01 OES-06 SEC-01 JUSE-00 SP-02 USIA-06

AID-05 EB-07 NSC-05 CIEP-01 TRSE-00 SS-15 STR-04

OMB-01 CEA-01 CIAE-00 COME-00 FRB-03 INR-07 NSAE-00

XMB-02 OPIC-03 LAB-04 SIL-01 /125 W

----- 024743

P R 151701Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0454

INFO USMISSION USUN NEW YORK PRIORITY

USMISSION GENEVA PRIORITY

USMISSION EC BRUSSELS

USMISSION OECD PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY PARIS

AMEMBASSY LONDON

AMEMBASSY TOKYO

AMEMBASSY OTTAWA

LIMITED OFFICIAL USE SECTION 02 OF 02 BONN 11984

II) THE NEED AND FEASIBILITY OF
HARMONIZING AND COORDINATING EXISTING
NATIONAL LEGISLATION AND REGULATIONS WITH
THE PURPOSE OF COMBATting ILLICIT PAYMENTS
IN INTERNATIONAL TRADE AND INVESTMENT
TRANSACTIONS WITH GOVERNMENTS;

III) POSSIBLE OPTIONS OF HOW ILLICIT
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 11984 02 OF 02 151713Z

PAYMENTS IN INTERNATIONAL TRADE AND INVEST-
MENT TRANSACTIONS WITH GOVERNMENTS COULD
BEST BE COMBATTED ON AN INTERNATIONAL SCALE,
E.G. BILATERAL AND/OR MULTILATERAL TREATIES
ON JUDICIAL ASSISTANCE, INTERNATIONAL
CONVENTION ETC. UNQUOTE

PARAGRAPH 3 OF U.S. PROPOSAL WOULD REMAIN UNCHANGED,
BUT PARAGRAPH 4 WOULD BE REVISED TO READ:

"4. DECIDES FURTHER

THAT THE SPECIAL PREPARATORY COMMITTEE
SHOULD SUBMIT THE AFOREMENTIONED STUDY
TO THE 63RD SESSION OF THE COUNCIL."

PARAGRAPH 4(B) OF U.S. PROPOSAL WOULD BE DROPPED.
FINALLY THE FRG DELEGATIONS HAVE BEEN INSTRUCTED TO
MAKE CLEAR THE GERMAN VIEW THAT THE SPECIAL PREPARATORY
COMMITTEE SHOULD BE COMPOSED OF GOVERNMENT REPRESENTA-
TIVES. VON DEWITZ EXPLAINED THAT TERM "GOVERNMENTAL
EXPERTS" IN DRAFT PARAGRAPH 2 COULD BE MISINTERPRETED.
WHILE THE PARTICIPANTS SHOULD OF COURSE BE EXPERTS, THEY
SHOULD ALSO BE EMPOWERED TO REPRESENT THEIR GOVERNMENTS.
IN GERMAN VIEW THE PARTICIPANTS SHOULD NOT SIMPLY BE
EXPERTS SPEAKING IN THEIR OWN CAPACITY.
CASH

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, BRIBERY, MINISTERIAL MEETINGS, RESOLUTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 15 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: BoyleJA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BONN11984
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760273-0542
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760757/aaaabxmw.tel
Line Count: 196
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 158320, 76 STATE 151183, 76 BONN 8274
Review Action: RELEASED, APPROVED
Review Authority: BoyleJA
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2004 by greeneet>; APPROVED <03 AUG 2004 by BoyleJA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ECOSOC: U.S. PROPOSAL FOR INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS
TAGS: EINV, PFOR, PGOV, US, UN, ECOSOC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006